

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

**FILED**

SEP 04 2018

Clerk, U.S. District Court  
District Of Montana  
Helena

TRUSTEES OF THE NATIONAL  
AUTOMATIC SPRINKLER INDUSTRY  
WELFARE FUND, TRUSTEES OF THE  
NATIONAL AUTOMATIC SPRINKLER  
LOCAL 669 UA EDUCATION FUND,  
TRUSTEES OF THE NATIONAL  
AUTOMATIC SPRINKLER INDUSTRY  
PENSION FUND, TRUSTEES OF THE  
SPRINKLER INDUSTRY SUPPLEMENTAL  
PENSION FUND AND ROAD SPRINKLER  
FILLERS LOCAL UNION 669 WORK  
ASSESSMENTS  
8000 Corporate Drive  
Landover, MD 20785

No. CV 17-43-H-SEH

**ORDER**

Plaintiffs,

v.

SECURITY FIRE PROTECTION, INC.,  
PO Box 5868  
Helena, MT 59604

and

KEVIN BRICENO  
1101 Chestnut St.  
PO Box 5868  
Helena, MT 59604

and

JUNE BRICENO  
1101 Chestnut St.  
PO Box 5868  
Helena, MT 59604

Defendants.

Before the Court are: (1) Plaintiffs' Motion for Summary Judgment;<sup>1</sup> and (2) Defendants' Motion for Summary Judgment.<sup>2</sup> A hearing on both motions was held on June 22, 2018. Additional statements of fact and briefs directed to the motions was ordered.<sup>3</sup> A second hearing on the motions was conducted on August 30, 2018.

ORDERED:

1. The parties' cross-motions for summary judgment<sup>4</sup> are DENIED.
2. Parties shall have up to and including September 21, 2018, to file a joint stipulation addressing:
  - a. the date upon which the parties performance obligation under the Union Agreement<sup>5</sup> dated October 16, 2009, ended;
  - b. the amount of base contributions claimed by the Plaintiffs to be owing by Defendants;

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<sup>1</sup> Doc. 29.

<sup>2</sup> Doc. 31.

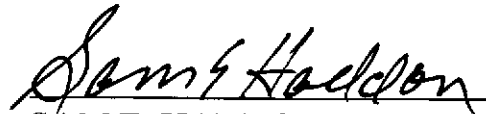
<sup>3</sup> Doc. 53.

<sup>4</sup> Docs. 29 & 31.

<sup>5</sup> Doc. 51-2.

- c. a statement of the amount of base contributions acknowledged by Defendants to be owing;
- d. the amount of late contributions claimed by the Plaintiffs to be owing by Defendants;
- e. a statement of the amount of late contributions acknowledged by Defendants to be owing;
- f. the total amount of interest claimed by the Plaintiffs to be owing by Defendants; and
- g. a statement of the amount of interest acknowledged by Defendants to be owing.

DATED this 4<sup>th</sup> day of September, 2018.

  
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SAM E. HADDON  
United States District Judge